

Exhibit G

CAUSE NO. C-2917-16-B

JORGE GARCIA, Individually and on behalf
of the Estate of ABRAHAM
GARCIA, deceased, LUIS ROGELIO
PUENTE MARTELL, Individually and on
behalf of the Estate of LUIS ROGELIO
PUENTE VILLELA, deceased, OLIVIA
MIRIAM VILLELA ORTIZ, Individually,
and DANIELLA BARAJAS Individually
and on behalf of the Estate of AURELIANO
BARAJAS, and ANTONIO BARAJAS,
Individually

Plaintiffs,

JEANETTA IZELA GARCIA FASSION,
INDIVIDUALLY AND AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
AURELIANO BARAJAS, DECEASED,
AND AS NEXT FRIEND OF AURELIANO
BARAJAS GARCIA, A MINOR,
INDIVIDUALLY, AND ANDRES
BARAJAS GARCIA, A MINOR,
INDIVIDUALLY,

Intervenors,

v.

LYCOMING ENGINES, A DIVISION OF
AVCO CORPORATION, AND AVCO
CORPORATION; TEXTRON AVIATION,
INC., CESSNA AIRCRAFT COMPANY;
MCCREERY AVIATION COMPANY
INC.; AVIATION MANUFACTURING
COMPANY, INC. AND INTERSTATE
SOUTHWEST LTD.

Defendants,

And

WEBSTER VICKNAIR MACLEOD

Interpleading Plaintiff.

IN THE DISTRICT COURT

OF HIDALGO COUNTY, TEXAS

93RD JUDICIAL DISTRICT

COUNTER-PLAINTIFF and CROSS-PLAINTIFF THE GARCIA LAW GROUP PLLC AND MARIA L. GARCIA'S AMENDED COUNTERCLAIM AND CROSSCLAIM

TO THE HONORABLE JUDGE OF SAID COURT:

The Garcia Law Group PLLC and Maria L. Garcia, files their Counterclaim and Crossclaim and would show the Court the following:

I.
DISCOVERY PLAN

1.1 The Garcia Law Group PLLC and Maria L. Garcia intend to conduct discovery in this cause under Discovery Control Plan Level Three and request a Docket Control Conference so that discovery may be tailored to the circumstances of this suit.

II.
JURISDICTION AND VENUE

2.1 This interpleader action arises from a dispute between rival interests seeking attorney's fees earned in the above styled and numbered cause.

2.2 This Court has jurisdiction over the subject matter and the parties.

2.3 Venue is proper in Hidalgo County as the attorney's fees in dispute were earned through the confidential settlement of the above styled and numbered cause which is still pending in the 93rd District Court of Hidalgo County. The original contract and documents related to this suit were negotiated in and executed in Hidalgo County; thus, all or a substantial part of the events or omissions giving rise to the claim occurred in this County and venue is proper under Texas Civil Practice & Remedies Code § 15.002(a)(1).

III.
PARTIES AND SERVICE

3.1 Counter-Plaintiff and Cross-Plaintiff, **The Garcia Law Group PLLC (GLG)**, is a law firm with its primary office in McAllen, Hidalgo County, Texas.

3.2 Counter-Plaintiff and Cross-Plaintiff, **Maria L. Garcia (“MLG”)**, is an attorney who resides at 1909 El Mileno Drive, Palmhurst, Texas 78573.

3.3 Plaintiff in Interpleader and Counter-Defendant, **Jason C. Webster P.C. d/b/a Webster Vicknair MacLeod (WVM)** is a professional corporation with its principal place of business in Houston, Harris County, Texas. **WVM** has appeared herein.

3.4 Defendant In Interpleader and Cross Defendant, **Brook Hollow Capital LLC (BHC)**, is a foreign Limited Liability Company which conducts substantial business in the State of Texas but is not registered to do business in the State of Texas. **BHC** may be served by serving the Secretary of the State of Texas with forwarding of this Counterclaim and Crossclaim to Tate Johnson, President and Chief Operating Officer, 161 N. Clark, Suite 2925, Chicago, Illinois.

IV. **RULE 193.7 NOTICE**

4.1 Pursuant to Rule 193.7 of the *Texas Rules of Civil Procedure*, GLG and MLG give actual notice to all parties that any documents produced by them may be used against them at any pretrial proceeding and/or at the trial of this matter without the necessity of authenticating the documents.

V. **FACTS RELATING TO ATTORNEY’S FEE DISPUTE**

5.1 WVM represented Plaintiffs and Intervenor in the above styled and referenced matter.

5.2 GLG and WVM entered into a Power of Attorney agreement with Plaintiffs and Intervenor.

5.3 According to the Power of Attorney, attorneys’ fees earned in the case were split between GLG and WVM.

5.4 In November 2023, the case settled for a confidential sum during trial.

5.5 Defendants and their insurers paid all settlement funds, including attorney’s fees, to WVM and WVM deposited all settlement funds, including attorney’s fees, into its IOLTA account.

5.6 A dispute arose over attorneys’ fees earned by GLG which were in WVM’s IOLTA account

with both GLG and BHC claiming a superior right to GLG's attorneys' fees.

5.7 On December 13, 2023, WVM filed its Petition in Interpleader asking for the Court to decide how to divide GLG's attorneys' fees.

5.8 Now, WVM also has a dispute with BHC and has refused to release the funds to BHC contending that if GLG is not entitled to the funds, WVM is the rightful possessor of the funds because of amounts owed to WVM from BHC.

VI.

FRAUDULENT MISREPRESENTATIONS BY BHC

6.1 BHC approached GLG and MLG with a tax plan that BHC assured GLG and MLG would provide it with a 20-year tax deferral on attorney's fees earned as well as provide GLG with the ability to raise substantial capital at very low interest rates.

6.2 BHC's false representations which induced GLG and MLG to enter into agreements to relinquish the attorney's fees it earned included, but were not limited to, the following:

- a. BHC's tax plan was "foolproof":
- b. The Internal Revenue Service (IRS) had approved the tax plan:
- c. BHC had been utilizing the tax plan offered to GLG for years and never had a complaint or inquiry filed by the IRS.
- d. If the IRS ever made an inquiry to BHC, BHC would immediately advise its clients, like GLG and MLG, of the inquiry.
- e. GLG's attorney's fees would be invested in safe, reliable investments which would provide GLG with substantial rewards when the funds were paid back.

6.3 GLG recently learned that Tate Johnson, President of BHC, was being investigated by the IRS for promoting “a deferred law firm fee scheme that appears to allow attorneys to unlawfully defer income for legal fees.”

6.4 Johnson had refused to comply with two IRS summonses issued to him personally in March 2024.

6.5 Rather than freely provide the information to the IRS as one who was selling a legal tax deferral would do, it appears Tate Johnson is ducking the IRS and refusing to deal with them, all the while hiding this invaluable information about an IRS investigation from BHC’s clients, like GLG.

6.6 The statements made in Section 5.2 by representatives of BHC were false when made.

6.7 Representatives of BHC knew the statements were false when they made them, and the statements were made with the express purpose of trying to induce GLG to pay its earned attorney’s fees to BHC.

6.8 As a result of BHC’s fraudulent statements, GLG has suffered damages, not only as it relates to the loss of attorney’s fees earned in this case, but damages beyond the attorney’s fees.

6.9 Further, since the fraudulent statements by BHC were made willfully, with full knowledge that they were false, GLG seeks punitive damages in an amount that would deter BHC from acting in the same malicious and reckless manner in the future.

VII.

DECLARATORY JUDGMENT

7.1 GLG and MLG ask the Court to declare that the attorneys’ fee earned by GLG in the above styled and numbered cause are rightly the property of GLG, asks the court to declare GLG as the rightful owner of the attorney’s fees, and order payment to GLG in accordance with the Court’s findings.

7.2 GLG and MLG further ask the court to declare that BHC and WVM are not the rightful owners of the attorney’s fees and receive nothing in this suit.

7.3 On or about February 23, 2017, and December 28, 2018, GLG and BHC entered into two MLSAs (referred to as "Loan BH2017" and "Loan BH2018," respectively), pursuant to which BHC provided certain loans to GLG. The MLSAs set forth the terms and conditions governing the loans, including interest rates, repayment schedules, and default provisions. Contrary to BHC's allegations in its lawsuit, GLG and MLG entered into these agreements based upon the representations from BHC set forth above, where BHC assured GLG and MLG would provide it with a 20-year tax deferral on attorney's fees earned as well as provide GLG with the ability to raise substantial capital at very low interest rates. Further, GLG and MLG complied with all material obligations under the MLSAs, or any alleged non-compliance was excused or immaterial. The alleged defaults referenced by BHC, including the failure to make certain payments and to provide financial information, are either factually inaccurate or legally unsupported. Plaintiffs have acted in good faith in all dealings with BHC, including efforts to address any concerns raised by BHC regarding the MLSAs.

7.4 BHC's acceleration of the loans and its demand for excessive default interest and fees are not justified under the terms of the MLSAs and are inconsistent with applicable law. Plaintiffs dispute BHC's calculation of amounts allegedly owed and assert that BHC's claims are exaggerated and improperly inflated.

7.5 GLG and MLG further ask the court to adjudge and declare that the contracts between GLG and MLG were fraudulently induced and are thus unenforceable. Alternatively, GLG and MLG further ask the court to adjudge and declare that GLG and MLG did not breach any contractual agreements with BHC.

7.6 GLG and MLG incorporate by reference the allegations set forth in the preceding paragraphs as though fully stated herein.

7.7 An actual controversy exists between GLG, MLG and BHC regarding the alleged defaults under the MLSAs and the amounts purportedly owed. Plaintiffs contend that no valid and enforceable contracts exist and/or that they have not breached the MLSAs and that BHC's claims for default interest, fees, and other amounts are unwarranted.

7.8 GLG and MLG seek a declaration that:

- a. Any agreements between GLG and MLG are voidable on the basis of fraud in the inducement;
- b. GLG and MLG have not breached the MLSAs or any related, valid agreements with BHC;
- b. BHC's acceleration of the loans and demands for default interest and fees are improper;
- c. GLG and MLG are not liable for the amounts claimed by BHC in its lawsuit; and
- d. GLG and MLG have fulfilled all material obligations under the MLSAs.

7.9 GLG and MLG seek their reasonable attorney's fees and costs of court incurred.

PRAYER

WHEREFORE, PREMISES CONSIDERED, The Garcia Law Group PLLC and Maria L. Garcia respectfully pray that upon final hearing of the cause, declaratory judgment be entered for **Garcia Law Group PLLC** and against **Jason C. Webster P.C. d/b/a Webster Vicknair MacLeod** and **Brook Hollow Capital LLC (BHC)** declaring that the attorney's fees earned in the above referenced matter shall be paid to **The Garcia Law Group**, and for damages against **Brook Hollow Capital LLC (BHC)** in an amount within the jurisdictional limits of the Court, together with pre-judgment interest at the maximum rate allowed by law, post-judgment interest at the legal rate, costs of court, and such other and further relief to which **Garcia Law Group PLLC and Maria L. Garcia** may be entitled at law or in equity.

Respectfully submitted,

MARTINEZ REILLY, LLP

By: /s/ Marion Reilly

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been forwarded to all counsel of record on this 22ND day of January, 2025.

/s/ Marion Reilly
MARION REILLY

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Filing Code Description: Amended Filing

Filing Description: COUNTER-PLAINTIFF and CROSS-PLAINTIFF THE GARCIA LAW GROUP PLLC AND MARIA L. GARCIA'S AMENDED COUNTERCLAIM AND CROSSCLAIM

Status as of 1/23/2025 11:23 AM CST

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RUSSELL SERAFIN		RSERAFIN@THEWEBSTERLAWFIRM.COM	1/22/2025 1:27:19 PM	SENT
MARIE HORNE		MHORNE@MCGLINCHEY.COM	1/22/2025 1:27:19 PM	SENT
DEBIE HUMPHRIES		DHUMPHRIES@BROWNPROCTOR.COM	1/22/2025 1:27:19 PM	ERROR
Geffrey Anderson		ganderson@andersonriddle.com	1/22/2025 1:27:19 PM	SENT

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Shirley Perez on behalf of John Martinez

Bar No. 24010212

Shirley@mrtrial.com

Envelope ID: 96476297

Filing Code Description: Amended Filing

Filing Description: COUNTER-PLAINTIFF and CROSS-PLAINTIFF THE GARCIA LAW GROUP PLLC AND MARIA L. GARCIA'S AMENDED COUNTERCLAIM AND CROSSCLAIM

Status as of 1/23/2025 11:23 AM CST

Case Contacts

Geffrey Anderson		ganderson@andersonriddle.com	1/22/2025 1:27:19 PM	SENT
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LOUIS PATINO		PATINOLAW@YAHOO.COM	1/22/2025 1:27:19 PM	SENT

Associated Case Party: LuisRogelio PuenteMartell

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Associated Case Party: Cessna Aircraft Company

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Stephen C.Howell		showell@brownproctor.com	1/22/2025 1:27:19 PM	SENT
GIL PERALEZ		gpp@peralezfranzlaw.com	1/22/2025 1:27:19 PM	SENT
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Pamela Carr		PCarr@brownproctor.com	1/22/2025 1:27:19 PM	ERROR
Cory Hernandez		Ahernandez@ssalinaslaw.com	1/22/2025 1:27:19 PM	SENT
Chris Franz		ccf@peralezfranzlaw.com	1/22/2025 1:27:19 PM	SENT

Associated Case Party: McCreery Aviation Company, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
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Shirley Perez on behalf of John Martinez

Bar No. 24010212

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Envelope ID: 96476297

Filing Code Description: Amended Filing

Filing Description: COUNTER-PLAINTIFF and CROSS-PLAINTIFF THE GARCIA LAW GROUP PLLC AND MARIA L. GARCIA'S AMENDED COUNTERCLAIM AND CROSSCLAIM

Status as of 1/23/2025 11:23 AM CST

Associated Case Party: JEANETTA BARAJAS GARCIA FASSIO

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Associated Case Party: JEANETTA BARAJAS GARCIA FASSIO as Personal Representative of the Estate of Aureliano Barajas, Deceased

Name	BarNumber	Email	TimestampSubmitted	Status
Arturo JuanGonzalez		agonzalez.law@gmail.com	1/22/2025 1:27:19 PM	SENT

Associated Case Party: Aureliano Barajas Garcia

Name	BarNumber	Email	TimestampSubmitted	Status
Arturo JGonzalez		art@ajg-law.com	1/22/2025 1:27:19 PM	ERROR

Associated Case Party: AVCO CORPORATION

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BRIAN MLeCOMPTE		blecompte@mcglinchey.com	1/22/2025 1:27:19 PM	SENT

Associated Case Party: Textron Aviation, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
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Shirley Perez on behalf of John Martinez

Bar No. 24010212

Shirley@mrtrial.com

Envelope ID: 96476297

Filing Code Description: Amended Filing

Filing Description: COUNTER-PLAINTIFF and CROSS-PLAINTIFF THE GARCIA LAW GROUP PLLC AND MARIA L. GARCIA'S AMENDED COUNTERCLAIM AND CROSSCLAIM

Status as of 1/23/2025 11:23 AM CST

Associated Case Party: Textron Aviation, Inc.

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Kent Rutter		kent.rutter@haynesboone.com	1/22/2025 1:27:19 PM	SENT

Associated Case Party: Aviation Manufacturing Company, Inc.

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Associated Case Party: ISW Texas Corporation

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